

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:08-CV-161-H

PROGRESSIVE SOUTHEASTERN
INSURANCE COMPANY,

Plaintiff,

v.

WILLIAM W. MCLEOD,
Administrator of the Estate
of ANNIE MORGAN MCLEOD, and
KARON MCLEOD,

Defendants.

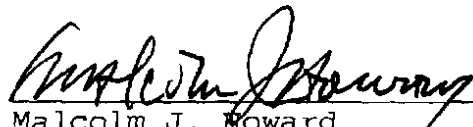
ORDER

This matter is before the court on plaintiff's motion for partial reconsideration of this court's denial of plaintiff's summary judgment motion. Defendants have responded, and plaintiff has replied. This matter is ripe for adjudication.

The court has carefully reviewed plaintiff's memorandum and defendants' response, as well as the recent case law from the North Carolina Court of Appeals cited by plaintiff. The court finds no reason to amend its prior order, as there still remain

genuine issues of material fact. Therefore, plaintiff's motion for reconsideration [DE #36] is DENIED.

This 15TH day of December 2010.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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